

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Case No: [17-cv-06748-WHO](#)Case Name: Di-azv. Tesla, Inc.

TRIAL SHEET, EXHIBIT and WITNESS LIST

JUDGE:	PLAINTIFF ATTORNEYS:	DEFENSE ATTORNEYS:
William H. Orrick	Bernard Alexander, Larry Organ, and Cimone Nunley	Tracey Kennedy, Patricia Jeng, and Susan Haines
TRIAL DATE: 10/4/2021	REPORTER:	CLERK:
Time: 4 hours, 30 minutes 8:03 a.m. to 12:33 p.m. Deliberations: 12:33 to 4:40 p.m.	Debra Pas	Jean Davis

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION
		8:03 a.m.			Verdict form is agreed upon. (Dkt. 282) Motion for Judgment as a Matter of Law and (Dkt. 281) Motion to Strike denied.
					Exhibits 136, 137 and 138 are marked and identified for purposes of appeal. These exhibits will not be provided to the jurors for their deliberations.
		8:09 a.m.			Court in recess
		8:32 a.m.			Court in session (jury present) Instructions provided to jurors
		9:18 a.m.			Jurors excused
		9:19 a.m.			Court in recess
		9:37 a.m.			Court in session (jury present) Court corrects a misstatement in the jury instructions
		9:38 a.m.			Plaintiff closing argument (Alexander)
		10:57 a.m.			Jurors excused
		11:12 a.m.			Court in session (jurors out) Court advises counsel that a juror has determined he has shares in a Mutual Fund which holds Tesla stock
		11:16 a.m.			Court in session (jurors present)
		11:16 a.m.			Defense closing argument (Kennedy)
		12:08 p.m.			Plaintiff rebuttal closing
		12:24 p.m.			Court provides final jury instructions and charge to deliberate and advises that an exhibit which was not admitted may have been referenced in closing statements
		12:33 p.m.			Jurors excused to begin deliberations
		12:34 p.m.			Court addresses counsel as to the issue with unadmitted exhibits and as to counsels' position regarding the juror with possible investment interest in Tesla

		12:38 p.m.			Court queries Juror (Randomized Juror No. 25/Selected Juror No. 8) regarding investment interest in Tesla and its impact on his ability to be objective
		12:42 p.m.			Juror excused without objection, court in recess
		2:51 p.m.			Court in session, jury question discussed
		2:55 p.m.			Court in session (jurors present) Jury Question 1 is addressed; Court provides supplemental instruction regarding Exhibits 206 and 254 which are not in evidence and should be disregarded.
		2:58 p.m.			Jurors are excused to resume their deliberations
		4:22 p.m.			Court in session (jurors out) to consider Jury Question 2
		4:24 p.m.			Court in recess
		4:36 p.m.			Court in session
		4:37 p.m.			Verdict announced
		4:38 p.m.			Jurors are polled and confirm their verdict
		4:39 p.m.			The Court thanks the jurors for their service and releases them
		4:40 p.m.			Court in recess.